

1 The Honorable Ricardo S. Martinez  
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 UNITED STATES OF AMERICA,  
11  
12 Plaintiff,

13 v.  
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15 (1) GUSTAVO SANDOVAL-AGURCIA,  
16 (2) ELIAS NEFTALI MONTES-SEVILLA,  
17 (3) JORGE URIEL ESQUIVEL-MENA,  
18 (4) FRANCISCO JAVIER ESQUIVEL-MENA,  
19 (5) BALDEMAR MARTINEZ-RICO, and  
20 (6) WILMER GALINDO-MARADIAGA,  
21  
22 Defendants.

NO. CR20-094 RSM

ORDER

23 The Court issues this Order after the government's motion regarding a proposed pre-  
24 trial scheduling order, any and the response by the defendants to this motion. Trial in this  
25 matter is currently scheduled for May 17, 2021.

26 NOW, THEREFORE, IT IS HEREBY ORDERED that the following scheduling  
27 deadlines be applied to this case:

28 **Pre-trial Motions and Preliminary Motions in Limine:** The pre-trial motions and  
preliminary motions in limine deadline is April 5, 2021 (six weeks before trial). All motions  
in limine relating to previously produced discovery should be filed by this date.

1       **Designation of Calls for Trial.** The government shall identify intercepted calls and  
 2 other communications it plans to use at trial, and provide at least rough transcripts of these  
 3 calls, by April 5, 2021 (six weeks before trial).

4       **Federal Rule of Evidence 404(b):** The deadline for designation of Rule 404(b)  
 5 evidence is April 5, 2021 (six weeks before trial).

6       **Expert Opinions:** The deadline for providing notice of any experts is April 19, 2021  
 7 (four weeks before trial). However, the Court recognize the DEA laboratory has a  
 8 significant backlog in both analyzing drug evidence and fingerprint evidence. If these reports  
 9 have not yet been generated, the government shall so indicate to the Court and defense by  
 10 April 19, 2021 (four weeks before trial) and provide information as to when such reports will  
 11 reasonably be available.

12       **Jenks Act.** The deadline for the government to provide Jenks Act discovery is April  
 13 19, 2021 (four weeks before trial).

14       **Henthorn Information:** The deadline for the government to provide impeachment  
 15 information contained in law enforcement personnel files is May 3, 2021 (two weeks before  
 16 trial).

17       **Confidential Informants:** If the government decides it will call confidential  
 18 informants to testify at trial, the government shall provide impeachment information as to  
 19 any such informant by April 19, 2021 (four weeks before trial).

20       **Proposed Jury Instructions, Proposed Voir Dire, Trial Memoranda, Witness  
 21 Lists, Evidence Lists, and Secondary Motions in Limine:** The deadline for the parties to  
 22 file Proposed Jury Instructions, Proposed Voir Dire, Trial Memoranda, Witness Lists, and  
 23 Evidence Lists is May 10, 2021 (one week before trial). In addition, the parties may file  
 24 motions in limine relating to any discovery produced after the preliminary motions in limine  
 25 deadline (April 5, 2021).

26       IT IS FURTHER ORDERED that if the Court is ordered closed for the month of May  
 27 2021 due to the COVID-19 pandemic, the above deadlines are stricken and the parties are  
 28 directed to submit a new scheduling order to the Court.

1 IT IS FURTHER ORDERED that if it appears likely the Court will be closed in the  
2 month of May 2021 due to the COVID-19 pandemic, the parties may jointly or separately  
3 move the Court to amend any or all of the above deadlines.

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5 DATED this 30<sup>th</sup> day of November, 2020.

6   
7 RICARDO S. MARTINEZ  
8 CHIEF UNITED STATES DISTRICT JUDGE  
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11 Presented by:  
12 BRIAN T. MORAN  
13 United States Attorney

14 /s/ Stephen Hobbs  
15 STEPHEN HOBBS  
16 BENJAMIN DIGGS  
17 Assistant United States Attorneys  
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